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QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fourth year

Letter dated 3 May 1999 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I have the honour to enclose a letter, dated 29 April 1999, addressed to you from Yasser Arafat, President of the State of Palestine, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian National Authority. Enclosed as well please find a copy of the final communiqué adopted by the Palestinian Central Council during its extraordinary session, which was held in Gaza from 27 to 29 April 1999.

I would be grateful if you would arrange to have the text of President Arafat's letter, as well as the text of the final communiqué of the Palestinian Central Council, distributed as a document of the fifty-third session of the General Assembly, under agenda items 39 and 40, and of the Security Council.

(Signed) Nasser AL-KIDWA
Ambassador
Permanent Observer of Palestine
to the United Nations

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Annex

Letter dated 29 April 1999 from the President of the State of Palestine addressed to the Secretary-General

[Original: Arabic]

Sir,

In the name of the Palestinian people and its leadership, and on my own behalf, I should like to convey to you the most sincere gratitude and the greatest appreciation for your unwavering and courageous support for the Palestinian people in its just and legitimate struggle to end the Israeli occupation of its land and holy places and to regain and exercise its inalienable national rights, foremost among which are the rights to return, to self-determination and to establish an independent State with Al-Quds Al-Sharif as its capital.

As you are aware, the Central Council of the Palestine Liberation Organization has met in extraordinary session, holding a series of meetings over three days. The Council addressed all aspects of the political situation, the peace process, the options open to the Palestinian leadership with respect to the end of the interim period on 4 May 1999, and the putting into practical effect, on the land of Palestine, of the Declaration of Independence of 15 November 1988 through the establishment of an independent State of Palestine with Al-Quds Al-Sharif as its capital.

The Palestinian people reaffirmed its commitment to just and comprehensive peace, the peace of the brave, as a strategic choice from which there is no turning back. Such peace, being fundamental to regional and international security and stability, enjoys the support of every country in the world. We therefore renew our appeal to the international community, the United Nations and, in particular, the States that sponsored and signed the peace accords to take steps to compel Israel to implement all matters still outstanding from the Interim Agreement, and to carry out the undertakings it made in subsequent agreements, the most recent of which was the Wye River Memorandum, in such a manner as to fulfil the provisions of Security Council resolutions 242 (1967), 338 (1973) and all the other relevant resolutions of international legitimacy, and to make it possible to establish and consolidate a just peace in the region of the Middle East. Such a peace would allow all the peoples and States of the region to enjoy security, stability and prosperity, and bestow freedom, independence and sovereignty on the Palestinian people.

In conclusion, we reiterate our good wishes and appreciation, and attach for your information the text of the final communiqué of the extraordinary session held from 27 to 29 April 1999 by the Central Council of the Palestine Liberation Organization.

Accept, Sir, the assurances of my highest consideration.

(Signed) Yasser ARAFAT
President of the State of Palestine
Chairman of the Executive Committee of
the Palestine Liberation Organization
President of the Palestinian National Authority

Enclosure

Statement by the Central Council of the Palestine Liberation Organization

[Original: Arabic]

In extraordinary session, beginning on 27 April 1999, the Central Council of the Palestine Liberation Organization held a series of meetings. The Council heard a comprehensive report presented by President Yasser Arafat, in which he discussed all aspects of the political situation and the principal tasks to be accomplished in the Palestinian arena, foremost among which is the successful establishment of an independent Palestinian State with Al-Quds Al-Sharif as its capital.

The President spoke of the Palestinian and other Arab tracks of the peace process, which had their origin in the Madrid Conference, the principle of land for peace and the implementation of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). He stressed that the Israeli Government bears responsibility for the total impasse reached in this process, because it has failed to honour the commitments to which it put its signature, has pursued an antagonistic policy that targets the Palestinian people, its land and its rights, has shown contempt for all agreements, conventions and norms and has ignored the international consensus that the rights of the Palestinian people lie at the heart of the peace process and are one of the principal requisites if that process is to make progress and succeed and the situation in the region is to stabilize.

Having heard the reports of the political leadership on the political situation, the members of the Council, in an atmosphere imbued with the spirit of democracy and responsibility, discussed the options available in these critical circumstances. There was complete unanimity with regard to the fact that the State of Palestine, with Al-Quds Al-Sharif as its capital, already exists, in view of the Palestinian people's natural right to establish a State, as confirmed in General Assembly resolution 181(II) of 1947, and in view of the Declaration of Independence made in 1988. The Palestinian people, by dint of its sacrifices and its unfailing steadfastness and commitment to the struggle, have essentially forged this State and are its decision makers. The Palestine Liberation Organization, with its national and democratic institutions, is the supreme authority with respect to this national decision, which is non-negotiable and irrevocable.

The Council also unanimously agreed that the current Israeli policy, based on settlement, expansion, the denial and freezing of the peace process and the violation of the national and human rights of the Palestinian people, will not affect the determination of our people to gain its rights, nor prevent the Palestinian political authorities, whatever their affiliation, from resisting that policy. Every political and popular capability will be mobilized in order to protect Palestinian land, the Palestinian people and Palestinian rights, sustained by national unity and the just and legitimate struggle to reach the single national goal of ending the occupation, exercising self-determination, establishing the State and resolving the issue of the refugees, pursuant to

General Assembly resolution 194(III) and the resolutions of international legitimacy.

The members of the Council valued the attendance at its meetings of our brothers from Hamas and Islamic Jihad, and their assurances that this initiative is a clear message that Palestinians are united in confronting difficult circumstances, and that it is pointless to think otherwise.

The Council agreed that the Palestinian people would not reconsider its choice of peace, a strategic choice supported by every country of the world as fundamental to regional and international stability.

The Council was highly appreciative of the position adopted by fraternal Arab, Islamic and African States, the States members of the Movement of Non-Aligned Countries, the Russian Federation, China and other European and Latin American States, and their willingness to fully recognize the independent State of Palestine with Al-Quds Al-Sharif as its capital.

The Council was similarly appreciative of the position taken by the European Union, Norway, Japan and Canada, their support for the peace process and their declarations in recognition of the right of the Palestinian people to self-determination, which includes the right to establish an independent State, this being a legitimate and unconditional right that cannot be subject to veto. These States have adopted comparable positions with respect to the issue of Al-Quds and sovereignty over that city.

The Council received with great interest the letter sent by the President of the United States of America, William Clinton, in which he reaffirmed his country's commitment to realizing the goals of the peace process, as represented by the implementation of Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace. He further gave his backing to the aspirations of the Palestinian people to live as a free people on its land and stated that settlement activity was a factor detrimental to the peace process.

The Council expressed its appreciation of the numerous démarches and tireless and effective endeavours of President Yasser Arafat at Arab and international levels, which have produced qualitative developments in the position of every State in the world with respect to the State of Palestine, have established that State's international legitimacy ever more firmly and have advanced its current and future relations.

The Council was greatly concerned that the five years provided for in the Interim Agreement have passed without any of the requirements for the period, the most important of which is Israeli withdrawal from the land, having been fulfilled, or the final settlement between the two parties having been concluded. There was consensus that the reason for that lies, essentially, in the policies and positions adopted by the Israeli side, which bears complete responsibility for the stagnation in the peace process.

The Council therefore calls upon the international community, the United Nations and, in particular, the States that sponsored and signed the agreements, to take action to compel Israel to carry out the undertakings it has made, in

accordance with the agreements signed by the Government of Israel and the Palestine Liberation Organization, in order to implement Security Council resolutions 242 (1967) and 338 (1973) and the other relevant resolutions of international legitimacy.

At the end of the three-day series of meetings, the Council decided as follows:

1. To consider the meetings of the current session of the Council as ongoing until the Council is reconvened in general session in June 1999.

2. To continue to take the steps and measures necessary to finalize the components and institutions of the State, and to consolidate its sovereignty by forming a number of working committees, including a special committee on the draft State constitution. In this context, the Council welcomes the fact that Mr. Ahmed Esmat Abdel Meguid, Secretary-General of the League of Arab States, has agreed to the Palestinian request for a higher Arab committee to be formed under his chairmanship, in order to assist in the formulation of a draft constitution.

3. The Council has commissioned the Executive Committee to study the correspondence from the sponsor States and deal with it in such a way as will best serve the higher interests of the Palestinian people.

4. The Council stresses the central importance of the city of Al-Quds and affirms that all measures and arrangements taken and still being taken by Israel as the occupying Power in Al-Quds and elsewhere are null and void and illegitimate. Israel must halt such measures forthwith and cancel out their effects. Here, the Council reaffirms the relevant United Nations resolutions, and expresses its great appreciation for the stance recently taken by the European Union on Al-Quds. It similarly appreciates the unwavering position on this issue of Arab and Islamic States and the Movement of Non-Aligned Countries.

5. The Council calls upon our people to use all their powers and national drive to resist the policy of settlement, the expropriation of land, the destruction of homes, the construction of bypass roads and the racist Judaization operation being carried out in Al-Quds and all parts of the Palestinian territory. On the basis of international law and General Assembly and Security Council resolutions, the Council reaffirms that these aggressive policies and practices are illegal and invalid. The Council commissions the Executive Committee to take the steps necessary to confront this threat. In this regard, the Council welcomes the convening of the Conference of the High Contracting Parties to the Fourth Geneva Convention on 15 July 1999 and urges the Conference to take the measures set forth in the Convention in order to compel Israel to comply with its provisions in the Palestinian occupied territories.

6. The Council commends the fortitude of our valiant prisoners and detainees held in the prisons of the occupying Power, and affirms its determination to ensure that they are released and their suffering ended.

7. The Council affirms the need to strengthen the nation-building process and consolidate the rule of law, democracy and the institutions of civil society.

The Central Council salutes the steadfastness of our great people and its support for its national leadership, and calls for ever greater vigilance and readiness at this historic stage in our people's struggle. The Council has every confidence that dawn has broken and victory is within our grasp.

In the Name of God, the Merciful, the Compassionate

We shall indeed help our messengers and those who believe, during life in this world and on the day when the witnesses will rise again. (Qur'an 40:51)